

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. RICHARD PETE MARTINEZ, Defendant.	CR 22-06-BLG-SPW AMENDED FINAL ORDER OF FORFEITURE
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Whereas, in the indictment in the above-captioned case, the United States sought forfeiture, pursuant to 21 U.S.C. § 853, of any real or personal property of the defendant used or intended to be used to facilitate, or as proceeds of said violation;

And whereas, on May 24, 2022, Richard Pete Martinez entered a plea of guilty to the indictment, which charged him prohibited person in possession of a firearm;

And whereas, the defendant, pursuant to his plea, agreed not to contest, or assist others in contesting, the forfeiture sought in the charging document to which the defendant plead guilty;

And whereas, by virtue of said guilty plea, the United States is entitled to possession of said property, pursuant to 18 U.S.C. § 924(d), and Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure;

And whereas, beginning on June 1, 2022, and ending on July 1, 2022, the United States published on an official government internet site (www.forfeiture.gov), notice of this forfeiture and of the United States' intent to dispose of the property listed below in accordance with federal law, under 21 U.S.C. § 853(n)(1):

- United Shield International, Model HML 3000-IIA Body Armor.

And whereas, the Court has been advised that no claims have been made in this case regarding the property and the United States is not aware that any such claims have been made;

ACCORDINGLY, IT IS ORDERED as follows:

1. The United States shall seize the forfeited property described above;
2. The right, title, and interest in the property is condemned, forfeited, and vested in the United States of America for disposition according to applicable law;

3. All forfeited funds shall be deposited forthwith by the United States Marshal into the Department of Justice Asset Forfeiture Fund in accordance with 21 U.S.C. § 853(n)(1);

4. The United States is directed to return the Savage Arms (Importer: Savage Arms, Inc.), Model 64, 22 L.R. caliber semi-automatic rifle, serial number:1548140, to Robert Kukowski; and

5. The Clerk is directed to send copies of this order to all counsel of record and the defendant. The Clerk is further directed to send three certified copies of this order to the United States Marshal.

DATED this 14th day of October, 2022.



SUSAN P. WATTERS
United States District Court Judge